

City of Fond du Lac Curfew

§ 500-10. Curfew.

Persons that are 16 years old or 17 years old shall not loiter, idle, or remain upon the public streets, highways, roads, alleys, parks, vacant lots, or any public lands, either on foot or in any vehicle driven or parked thereon, between the hours of 12:00 a.m. and 5:00 a.m., unless accompanied by his or her parent, guardian, or other adult person having his or her custody, as the term "custody" is defined in § 895.035, Wis. Stats.

No person under the age of 16 shall loiter, idle, or remain upon the public streets, highways, roads, alleys, parks, vacant lots, or any public lands, either on foot or in any vehicle driven or parked thereon, between the hours of 10:00 p.m. and 5:00 a.m., unless accompanied by his or her parent, guardian, or other adult person having his or her custody, as the term "custody" is defined in § 895.035, Wis. Stats.

The provisions of this section do not apply to a minor accompanied by his parent or guardian and to minors attending approved school functions approved by the school principal or superintendent of the school district in advance of the school function for the period of one hour after the close of the approved school function.

Similarly, the provisions of this section do not apply in circumstances in which the minor was exercising First Amendment rights protected by the United States Constitution or the Wisconsin Constitution, including freedom of speech, the free exercise of religion and/or the right of assembly. Nor do they apply if the minor is on emergency errand or if the minor is participating in, going to, or returning from lawful employment.

Unless flight by the minor or other circumstances make it impracticable, a peace officer shall not issue a citation for an offense under this section unless the officer reasonably believes that an offense has occurred, and that none of the exceptions to the curfew restriction described herein applies.

As used in this section, "emergency errand" means that the presence of the minor is necessitated by an emergency situation in which property or human life are in jeopardy and the prompt summoning or rendering of aid is essential.